

FEDERAL BUREAU OF INVESTIGATION  
FOIPA  
DELETED PAGE INFORMATION SHEET

Serial Description ~ Unrecorded Serial

Total Deleted Page(s) ~ 2

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[Redacted]  
**From:** 1364-83184756@requests.muckrock.com  
**Sent:** Tuesday, May 29, 2012 4:19 PM  
**To:** FOIPA\_Request  
**Subject:** Freedom of Information Request Umar Farouk Abdulmutallab Statements [FBI]

May 29, 2012  
Federal Bureau of Investigation  
Federal Bureau of Investigation  
Attn: FOI/PA Request  
Record/Information Dissemination Section 170 Marcel Drive Winchester, VA 22602-4843

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

All statements made by Umar Farouk Abdulmutallab since his capture on December 25, 2009.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Rich Jones

Filed via MuckRock.com  
E-mail (Preferred): [1364-83184756@requests.muckrock.com](mailto:1364-83184756@requests.muckrock.com)

For mailed responses, please address (see note):  
MuckRock News  
DEPT MR 1364  
PO Box 55819  
Boston, MA 02205-5819

PLEASE NOTE the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 8, 2012

MR. RICH JONES  
MUCKROCK NEWS  
DEPT MR 1364  
POST OFFICE BOX 55819  
BOSTON, MA 02205 5819

FOIPA Request No.: 1191768- 000  
Subject: ABDULMUTALLAB, UMAR FAROUK

Dear Mr. Jones:

This is in response to your Freedom of Information Act (FOIA) request referenced above.

Records responsive to your request were located on the US Courts public website. Please find the FBI videos on [www.mied.uscourts.gov](http://www.mied.uscourts.gov). On the top of the page under latest news, click the link labeled "latest information on the USA v. Abdulmutallab case." Once you click that link it will take you to the next page. Half way down the page, click the link labeled "Sentencing Demonstration video." This link, USA v Abdulmutallab Sentencing Exhibit (200 grams), will take you to the three videos.

You may file an appeal by writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be identified easily.

Sincerely yours,

David M. Hardy  
Section Chief,  
Record/Information  
Dissemination Section  
Records Management Division



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

June 13, 2012

MR RICH JONES  
MUCKROCK NEWS  
DEPT MR 1364  
POST OFFICE BOX 55819  
BOSTON, MA 02205 5819

FOIPA Request No.: 1191768- 000  
Subject: ABDULMUTALLAB, UMAR  
FAROUK

Dear Mr. Jones:

FBI. This acknowledges receipt of your Freedom of Information/Privacy Acts (FOIPA) request to the

- ☒ This FOIPA request has been received at FBI Headquarters for processing.
- ☐ This FOIPA request has been received at the [\_\_\_\_ Resident Agency / \_\_\_\_ Field Office] and forwarded to FBI Headquarters for processing.
- ☒ We are searching the indices to our Central Records System for the information responsive to this request. You will be informed of the results in future correspondence.
- ☐ Your request for a fee waiver is being considered and you will be advised of the decision at a later date.
- ☒ Please check for the status of your FOIPA request at [www.fbi.gov/foia](http://www.fbi.gov/foia)

The FOIPA Request number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

Very truly yours,

David M. Hardy  
Section Chief,  
Record/Information

Dissemination Section

Records Management Division



Federal Bureau of Investigation

Washington, D.C. 20535

June 29, 2012

MR RICH JONES  
MUCKROCK NEWS  
DEPT MR 1364  
POST OFFICE BOX 55819  
BOSTON, MA 02205 5819

FOIPA Request No.: 1191768- 000  
Subject: ABDULMUTALLAB, UMAR  
FAROUK (STATEMENTS)

Dear Mr. Jones:

This acknowledges receipt of your Freedom of Information/Privacy Act (FOIPA) request to the FBI. The FOIPA number listed above has been assigned to your request.

You have requested records concerning a third party (or third parties). Records pertaining to a third party generally cannot be released absent express authorization and consent of the third party, proof that the subject of your request is deceased, or a clear demonstration that the public interest in disclosure outweighs the personal privacy interest and that significant public benefit would result from the disclosure of the requested records. Proof of death can be a copy of a death certificate, Social Security Death Index, obituary or another recognized reference source. Death is presumed if the birth date of the subject is more than 100 years ago. Since you have not furnished a Certification of Identity form, proof of death, or public justification for release, the release of records concerning a third party would result in an unwarranted invasion of personal privacy and would be in violation of the Privacy Act, Title 5 U.S.C. § 552a. These records are also generally exempt from disclosure pursuant to the FOIA, Title 5 U.S.C. § 552 exemptions (b)(6) and (b)(7)(C).

Enclosed is a Certification of Identity form. You may make additional copies of this form if you are requesting information on more than one individual. The subject of your request should complete this form and then sign it or prepare a document containing the required descriptive data and have it notarized. The original certification of identity, notarized authorization with the descriptive information and a legible, original signature must be provided to the FBI before an accurate search of our records can be conducted.

If requested, we will conduct a search for any public records maintained in our files, such as court records and news clippings, without the express authorization of the third party, proof of death, or public justification for release provided the subject is of sufficient public notoriety. If public records exist in our files and you desire to obtain them, please reply with a letter asking for the public documents. You can fax your request to (540) 868-4997, or mail to 170 Marcel Drive, Winchester, VA 22602, to the Attn: Work Process Unit. If we do not receive a response from you within 30 days from the date of this letter, your request will be closed. You must include the FOIPA request number with any communication regarding this matter.

This response should not be considered an indication of whether or not records responsive to your request exist in FBI files.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Number assigned to your request to facilitate its identification.

Enclosed for your information is a copy of the FBI File Fact Sheet.

Very truly yours,

David M. Hardy  
Section Chief,

Enclosures



## FBI FILE FACT SHEET

- The primary function of the FBI is law enforcement.  
**The FBI does not keep a file on every citizen of the United States**
- The FBI was not established until 1908 and we have very few records prior to the 1920's.
- FBI files generally contain reports of FBI investigations of a wide range of matters, including counterterrorism, counter-intelligence, cyber crime, public corruption, civil rights, organized crime, white-collar crime, major thefts/violent crime, and applicants.
- The FBI does not issue clearances or nonclearances for anyone other than its own personnel or persons having access to FBI facilities. Background investigations for security clearances are conducted by many different Government agencies. Persons who received a clearance while in the military or employed with some other government agency should contact that entity. Most government agencies have websites which are accessible on the internet which have their contact information.
- An identification record or "rap sheet" is NOT the same as an FBI "file" – it is a listing of information taken from fingerprint cards and related documents submitted to the FBI in connection with arrests, federal employment, naturalization or military service. The subject of a "rap sheet" may obtain a copy by submitting a written request to FBI, Criminal Justice Information submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. The subject of a "rap sheet" may obtain a copy by submitting a written request to FBI, Criminal Justice Information Services (CJIS) Division, Record Request, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306. Along with a specific written request, the individual must submit a new full set of his/her fingerprints in order to locate the record, establish positive identification, and ensure that an individual's records is not disseminated to an unauthorized person. The fingerprint submission must include the subject's name, date of birth and place of birth. There is a required fee of \$18 for this service which must be submitted in the form of a money order or certified bank check made payable to the Treasury of the United States. A credit card payment option is also available. Forms for this option and additional directions may be obtained by accessing the FBI Web site at [www.fbi.gov/hq/cjisd/fprequest.htm](http://www.fbi.gov/hq/cjisd/fprequest.htm). States.
- The National Name Check Program (NNCP) conducts a search of the FBI's Universal Index (UNI) to identify any information contained in FBI records that may be associated with an individual and provides the results of that search to the requesting Federal, State or local agency. For the NNCP, a name is searched in a multitude of combinations and phonetic spellings to ensure all records are located. The NNCP also searches for both "main" and "cross reference" files. A main file is an entry that carries the name corresponding to the subject of a file while a cross reference is merely a mention of an individual contained in a file. The results from a search of this magnitude can result in several "hits" and "idents" on an individual. In each instance where UNI has identified a name variation or reference, information must be reviewed to determine whether it is applicable to the individual in question.
- The Record/Information Dissemination Section/Freedom of Information-Privacy Act (FOIPA) search for records provides copies of FBI files relevant to a FOIPA request for information. FOIPA provides responsive documents to requestors seeking "reasonably described information." For a FOIPA search, the subject name, event, activity, business, or event is searched to determine whether there is an investigative file associated with the subject. This is called a "main file search" and differs from the NNCP search.

**FOR GENERAL INFORMATION ABOUT THE FBI, VISIT OUR WEBSITE AT**

[www.fbi.gov](http://www.fbi.gov)

3-20-2009

## Certification of Identity

FORM APPROVED OMB NO. 1103-0016  
EXPIRES 10/31/13

**Privacy Act Statement.** In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Requests will not be processed if this information is not furnished. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester <sup>1</sup> \_\_\_\_\_Citizenship Status <sup>2</sup> \_\_\_\_\_ Social Security Number <sup>3</sup> \_\_\_\_\_

Current Address \_\_\_\_\_

Date of Birth \_\_\_\_\_ Place of Birth \_\_\_\_\_

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature <sup>4</sup> \_\_\_\_\_ Date \_\_\_\_\_**OPTIONAL: Authorization to Release Information to Another Person**

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

---

Print or Type Name

<sup>1</sup> Name of individual who is the subject of the record(s) sought.

<sup>2</sup> Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

<sup>3</sup> Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

<sup>4</sup> Signature of individual who is the subject of the record sought.



[REDACTED]

---

**From:** 2013-85914293@requests.muckrock.com  
**Sent:** Thursday, November 15, 2012 5:00 AM  
**To:** [REDACTED]  
**Subject:** Follow up to Freedom of Information Request: Umar Farouk Abdulmutallab Statements: FOIA and Appeal Documents [FBI]

November 15, 2012  
Federal Bureau of Investigation  
Federal Bureau of Investigation  
Attn: FOI/PA Request  
Record/Information Dissemination Section 170 Marcel Drive Winchester, VA 22602-4843

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Freedom of Information request, copied below, and originally submitted on Oct. 16, 2012. Please let me know when I can expect to receive a response, or if further clarification is needed.

Thank you for your help.

---

On Oct. 16, 2012:

Dear Mr. Jones,

The FBI has received your Freedom of Information Act/Privacy (FOIPA) request and it will be forwarded to the Work Process Unit (WPU) or a Single Station Team (SST) for review. Your request will be processed under the provisions of FOIPA and a response will be mailed to you at a later date.

Requests for fee waivers and expedited processing will be addressed once your request has been assigned an FOIPA request number. You will receive written notification of the FBI's decision.

Information regarding the Freedom of Information Act/Privacy is available at <http://www.fbi.gov/> or <http://www.fbi.gov/foia/>. If you require additional assistance please contact the Public Information Officer.

Thank you,

NOTE: Please view the notice posted on our website at <http://www.fbi.gov/foia/>, reference a scheduled upgrade to the FBI FOIA Document Processing System (FDPS)

---

On Oct. 16, 2012:



**U.S. Department of Justice**

**Office of Information Policy**

*Telephone: (202) 514-3642*

*Washington, D.C. 20530*

**AUG - 9 2012**

**MuckRock News  
DEPT MR 1364  
P.O. Box 55819  
Boston, MA 02205-5819**

**Re: Request No. 1191768 – Umar Farouk Abdulmutallab**

**Dear MuckRock News:**

**This is to advise you that your administrative appeal from the action of the Federal Bureau of Investigation was received by this Office on August 1, 2012.**

**The Office of Information Policy has the responsibility of adjudicating such appeals. In an attempt to afford each appellant equal and impartial treatment, we have adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number **AP-2012-03041**. Please mention this number in any future correspondence to this Office regarding this matter.**

**We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal you may contact me at the number above.**

**Sincerely,**

**Supervisory Administrative Specialist**

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b7C

**FBI**

AP-2012-03041

Director, Office of Information Policy (OIP)  
U.S. Department of Justice  
1425 New York Ave., NW, Suite 11050  
Washington, D.C. 20530-0001

RECEIVED

AUG - 1 2012

Office of Information Policy

FOIA  
A  
FBI

CDW

FOIPA Request No.1 1191768— 000  
Subject: ABDULMUTALLAB, UMAR  
FAROUK (STATEMENTS)

In response to the previous acknowledgement of FOIPA Request No. 1191768— 000 of all statements made by Umar Farouk Abdulmutallab since his capture on December 25, 2009, I hereby implore that due the notoriety of Umar Farouk Abdulmutallab and the importance of these statements to the public, the public need for these records trump his personal privacy rights and that these statements qualify for exemption.

Umar Farouk Abdulmutallab (also known as Umar Abdul Mutallab, Omar Farooq al-Nigeri and عمر فاروق عبد المطلب), a Nigerian citizen, is a convicted terrorist currently held in US federal custody at the United States Penitentiary, Florence ADX, Florence, Colorado. He is an alleged member of the Al-Qaeda terror network and was convicted of 8 charges, including the attempted use of a weapon of mass destruction and the attempted murder of 289 people, charges which carry mandatory life sentences. Known in the media as the "underwear bomber," Umar Farouk Abdulmutallab confessed to and was convicted of attempting to detonate plastic explosives hidden in his underwear while on board Northwest Airlines Flight 253, en route from Amsterdam to Detroit, Michigan, on December 25, 2009. This event was covered by every major media outlet in the US and abroad. As an incarcerated terrorist, Umar Farouk Abdulmutallab's privacy interest is minimal.

More information about Umar Farouk Abdulmutallab can be found here: [http://en.wikipedia.org/wiki/Umar\\_Farouk\\_Abdulmutallab](http://en.wikipedia.org/wiki/Umar_Farouk_Abdulmutallab) and more than 100 references to his case in major news outlets can be found here: [http://en.wikipedia.org/wiki/Umar\\_Farouk\\_Abdulmutallab#References](http://en.wikipedia.org/wiki/Umar_Farouk_Abdulmutallab#References) - clearly, there is a keen public interest in these documents.

The statements made by Umar Farouk Abdulmutallab are extremely historically important, provide a great value to the public interest and provide benefit to the public as a whole. As Umar Farouk Abdulmutallab's statements were the cause for various government actions and changes in policy, they play an important and specific part of the modern political narrative and public knowledge of the evidence of these events is vital to our democracy.

In addition, I request all public records about Umar Farouk Abdulmutallab not subject to privacy restrictions.

In the event that the contents of the requested statements is classified under Executive Order 13526, I also make the following additional requests:

Pursuant to section 1.2 of Executive Order 13526, I am requesting the level of classification of this information and its existence/nonexistence.

Pursuant to section 1.3 of Executive Order 13526, I am requesting the specific authority which classified this information.

Pursuant to section 1.4 of Executive Order 13526, I am requesting the specific classification categories of this information, as well as an identification or description of the damage to national security which the disclosure of this information would produce.

Pursuant to section 1.5 of Executive Order 13526, I am requesting the specific duration of time for which this classification will stand.

Pursuant to section 1.6 of Executive Order 13526, I am requesting all classification markings about this information, including (1) one of the three classification levels defined in section 1.2 of Executive Order 13526, (2) the identity, by name and position, or by personal identifier, of the original classification authority, (3) the agency and office of origin, if not otherwise evident, (4) declassification instructions, and (5) a concise reason for classification that, at a minimum, cites the applicable classification categories in section 1.4 of Executive Order 13526.

Thank you very much! I really appreciate the efficiency and professionalism of your office, especially compared to other branches of the government!  
Keep up the great work!

Rich Jones

Filed via MuckRock.com

E-mail (Preferred): [1364-83184756@requests.muckrock.com](mailto:1364-83184756@requests.muckrock.com)

For mailed responses, please address (see note):

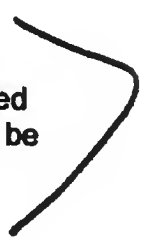
MuckRock News

DEPT MR 1364

PO Box 55819

Boston, MA 02205-5819

**PLEASE NOTE** the new address as well as the fact that improperly addressed (i.e., with the requester's name rather than MuckRock News) requests might be returned by the USPS as undeliverable.



UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF INFORMATION POLICY

FAX COVER SHEET

From:

[Redacted]

Office of Information Policy  
U.S. Department of Justice

[Redacted]

(Voice)  
(Fax)

Date:

5/21/13



b6  
b7C

[Redacted]

Department/Agency/Bureau: FBI

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Total Pages (Excluding Cover): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Precedence: Immediate \_\_\_ Priority \_\_\_ Routine \_\_\_  
Classified \_\_\_ Sensitive \_\_\_ Non-Sensitive \_\_\_

**Warning:** Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information disclosure, reproduction, distribution, or use of this information is prohibited (18 U.S.C. § 641). Please notify the originator immediately to arrange for proper disposition.



U.S. Department of Justice  
Office of Information Policy  
Suite 11050  
1425 New York Avenue, NW  
Washington, DC 20530-0001

Telephone: (202) 514-3642

SEP 28 2012

MuckRock News  
DEPT MR 1364  
Post Office Box 55819  
Boston, MA 02205-5819

Re: Appeal No. AP-2012-03041  
Request No. 1191768  
ADW:CDW

To whom it may concern:

You appealed from the action of the Federal Bureau of Investigation on your request for access to records concerning statements made by Umar Farouk Abdulmutallab.

The Freedom of Information Act provides for disclosure of many agency records. At the same time, Congress included in the FOIA nine exemptions from disclosure that provide protection for important interests such as personal privacy, privileged communications, and certain law enforcement activities. After carefully considering your appeal, I am affirming, on partly modified grounds, the FBI's action on your request. To the extent that responsive records exist, without consent, proof of death, official acknowledgment of an investigation, or an overriding public interest, disclosure of law enforcement records concerning an individual could reasonably be expected to constitute an unwarranted invasion of personal privacy. See 5 U.S.C. § 552(b)(7)(C). Because any records responsive to your request would be categorically exempt from disclosure, the FBI properly asserted Exemption 7(C) and was not required to conduct a search for the requested records. See Blackwell v. FBI, 646 F.3d 37, 41-42 (D.C. Cir. 2011) (upholding agency's refusal to conduct a search for law enforcement records pertaining to named third parties because such records are categorically exempt from disclosure in the absence of an overriding public interest).

Please be advised that this Office's decision was made only after a full review of this matter. Your appeal was assigned to an attorney with this Office who thoroughly reviewed and analyzed your appeal, your underlying request, and the actions of the FBI in response to your request.

If you are dissatisfied with my action on your appeal, the FOIA permits you to file a lawsuit in federal district court in accordance with 5 U.S.C. § 552(a)(4)(B).

For your information, the Office of Government Information Services (OGIS) offers mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road,

File

200/2002

00J-01P

05/21/2013 14:29 FAX

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